

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

HEATH CLAUSSEN,)	
)	
Plaintiff,)	4:05cv3072
)	
vs.)	MEMORANDUM AND ORDER
)	
VERLYN LUEBBE, et al.,)	
)	
Defendants.)	

This matter is before the court on filing no. 36, the defendant's Motion to Dismiss, with an attached Joint Motion to Dismiss signed by the plaintiff, Heath Claussen, and the only remaining defendant in this action, Sheriff Rick Eberhardt. The parties stipulate to dismissal of this action with prejudice, each party to pay his own costs.

THEREFORE, IT IS ORDERED:

1. That filing no. 36 is granted and approved; the plaintiff's complaint and the above-entitled case are dismissed with prejudice on the parties' joint motion; each party shall pay his own costs; and
2. That judgment will be entered accordingly.

DATED this 27th day of July, 2006.

BY THE COURT:

s/ Joseph F. Bataillon
JOSEPH F. BATAILLON
Chief District Judge